

LIST OF PRIOR ART CITED BY APPLICANT  
(Use several sheets if necessary)

CUSTOMER NO. 26308

ATTY DOCKET NO.  
1759.17207-FOR DIV 2

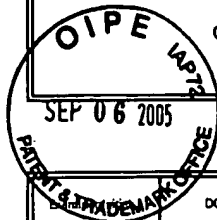
SERIAL NO.  
10/783,723

APPLICANT  
Osorio et al.

FILING DATE  
20 February 2004

GROUP  
3763

P. 1



U.S. PATENT DOCUMENTS

DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (if Appropriate)
1,965,653	10 Jul 34	Kennedy			
3,049,125	14 Aug 62	Kriwkowitsch			
3,091,237	28 May 63	Skinner			
3,112,743	3 Dec 63	Cochran et al.			
3,626,949	14 Dec 71	Shute			
3,648,294	14 Mar 72	Shahrestani			
3,766,924	23 Oct 73	Pidgeon			
3,779,241	18 Dec 73	Vannard et al.			
3,800,788	2 Apr 74	White			
3,850,176	26 Nov 74	Gottschalk			
3,875,595	8 Apr 75	Froning			
3,889,665	17 Jun 75	Ling et al.			
3,997,138	14 Dec 76	Crock et al.			
4,018,230	19 Apr 77	Ochiai et al.			
4,083,369	11 Apr 78	Sinnreich			
4,274,163	23 Jun 81	Malcom et al.			
4,313,434	2 Feb 82	Segal			
4,367,816	11 Jan 83	Wilkes			
4,369,772	25 Jan 83	Miller			
4,399,814	23 Aug 83	Pratt, Jr. et al.			
4,432,358	21 Feb 84	Fixel			
4,462,394	31 Jul 84	Jacobs			
4,466,435	21 Aug 84	Murray			
4,467,479	28 Aug 84	Brody			

EXAMINER

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	<p>APPLICANT Osorio et al.</p>	
	<p>FILING DATE 20 February 2004</p>	<p>GROUP 3763</p> <p>P. 2</p>

### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
<i>PLC</i>	4,488,549	18 Dec 84	Lee et al.			
	4,562,598	7 Jan 86	Kranz			
	4,595,006	17 Jun 86	Burke et al.			
	4,625,722	2 Dec 86	Murray			
	4,627,434	9 Dec 86	Murray			
	4,628,945	16 Dec 86	Johnson, Jr.			
	4,637,396	20 Jan 87	Cook			
	4,653,489	31 Mar 87	Tronzo			
	4,685,447	11 Aug 87	Iversen et al.			
	4,686,973	18 Aug 87	Frisch			
	4,697,584	6 Oct 87	Haynes			
	4,706,670	17 Nov 87	Andersen et al.			
	4,714,478	22 Dec 87	Fischer			
	4,772,287	20 Sep 88	Ray et al.			
	4,878,495	7 Nov 89	Grayzel			
	4,888,022	19 Dec 89	Huebsch			
	4,888,024	19 Dec 89	Powlan			
	4,892,550	9 Jan 90	Huebsch			
	4,896,662	30 Jan 90	Noble			
	4,909,252	20 Mar 90	Goldberger			
	4,932,975	12 Jun 90	Main et al.			
<i>PLC</i>	4,969,888	13 Nov 90	Scholten et al.			

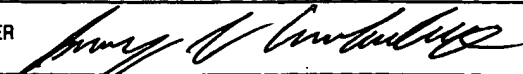
<p>EXAMINER <i>James J. Condon</i></p>	<p>DATE CONSIDERED <i>12/17/06</i></p>
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### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
<i>PC</i>	4,987,892	29 Jan 91	Krag et al.			
	5,002,576	26 Mar 91	Fuhrmann et al.			
	5,015,255	14 May 91	Kuslich			
	5,049,132	17 Sep 91	Shaffer et al.			
	5,053,035	1 Oct 91	McLaren			
	5,062,845	5 Nov 91	Kuslich et al.			
	5,071,435	10 Dec 91	Fuchs et al.			
	5,102,413	7 Apr 92	Poddar			
	5,108,404	28 Apr 92	Scholten et al.			
	5,127,912	7 Jul 92	Ray et al.			
	5,137,512	11 Aug 92	Burns et al.			
	5,147,366	15 Sep 92	Arroyo et al.			
	5,163,949	17 Nov 92	Bonutti			
	5,183,989	17 Nov 92	Campbell et al.			
	5,176,638	5 Jan 93	Don Michael			
	5,176,683	5 Jan 93	Kimsey et al.			
	5,176,692	5 Jan 93	Wilk et al.			
	5,290,306	1 Mar 94	Trotta et al.			
	5,295,994	22 Mar 94	Bonutti			
	5,303,718	19 Apr 94	Krajicek			
	5,330,429	19 Jul 94	Noguchi et al.			
<i>PC</i>	5,331,975	26 Jul 94	Bonutti			

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### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (if Appropriate)
JCC	5,361,752	8 Nov 94	Moll et al.			
	5,383,932	24 Jan 95	Wilson et al.			
	5,423,850	13 Jun 95	Berger			
	5,425,710	20 Jun 95	Khair et al.			
	5,441,538	15 Aug 95	Bonutti			
	5,445,639	29 Aug 95	Kuslich et al.			
	5,454,365	3 Oct 95	Bonutti			
	5,468,245	21 Nov 95	Vargas, III			
	5,480,400	2 Jan 96	Berger			
	5,514,143	7 May 96	Bonutti et al.			
	5,514,153	7 May 96	Bonutti			
	5,522,790	4 Jun 96	Moll et al.			
	5,522,846	4 Jun 96	Bonutti			
	5,527,343	18 Jun 96	Bonutti			
	5,527,624	18 Jun 96	Higgins et al.			
	5,531,856	2 Jul 96	Moll et al.			
	5,540,711	30 Jul 96	Kieturakis et al.			
	5,545,222	13 Aug 96	Bonutti			
	5,549,388	27 Aug 96	Wilkes			
	5,549,679	27 Aug 96	Kuslich			
	5,562,736	8 Oct 96	Ray et al.			
JCC	5,571,109	5 Nov 96	Bertagnoli			

<b>EXAMINER</b> <i>James J. Bertagnoli</i>	<b>DATE CONSIDERED</b> 12/17/06
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### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
<i>PLC</i>	5,571,189	5 Nov 98	Kuslich			
	5,755,690	26 May 98	Saab			
	5,772,681	30 Jun 98	Leoni			
	5,788,703	4 Aug 98	Mittelmeier et al.			
	5,893,840	13 Apr 99	Hull et al.			
	6,017,305	25 Jan 00	Bonutti			
	6,066,154	23 May 00	Reiley et al.			
	6,235,043	22 May 01	Reiley et al.			
<i>PLC</i>	6,248,110	19 Jun 01	Reiley et al.			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
<i>PLC</i>	439,636	3 May 12	Europe / FR			
	512,458	15 Sep 39	United Kingdom			
	908,530	25 Feb 82	Russia			
	1,148,610	7 Apr 85	Russia			
	3,736,604	5 Nov 89	Germany			
	9,001,858	16 Mar 92	Netherlands			
	0 493,789	Jul 92	Europe			
<i>PLC</i>	WO 95/03083	Feb 95	PCT			

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**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

166		Aebi, M., "The Internal Skeletal Fixation System. A New Treatment of Thoracolumbar Fractures and Other Spinal Disorders", Clinical Orthop., Vol 227, pp. 30-43 (1988)
		Blauth, M., "Therapeutic Concept and Result of Operative Treatment in Acute Trauma of the Thoracic and Lumbar Spine: the Hannover Experience," J. of Orthop. Trauma, Vol 1, No. 3, pp. 240-52 (1987)
		Campbells' Operative Orthopaedics, A.H. Crenshaw, Ed., 7 <sup>th</sup> ed., Chapter 44, pp. 1653-63 (1987)
		Carlson, "The Use of Methylmethacrylate in Repair of Neoplastic Lesions in Bone," Radiology, Vol. 112, pp. 43-46 (July 1974)
		Cohen, L., M.D., "Fractures of the Osteoporotic Spine, Pathologic Fractures in Metabolic Bone Disease", The Orthopedic Clinics of N. America. Vol. 21:1, 1/1990, pgs. 153-152.
		Daniaux, H., "Technik und Ergebnisse der Transpedikularen Spongiosaplastik Bei Kompressionsbrüchen im Lendenwirbelsäulenbereich" Acta Chir. Austr. (Suppl.), Vol 43, pp. 79-80 (1982) (with English Translation)
		Daniaux, H., "Transpedikuläre Reposition und erste Spongiosaplastik Bei Wirbelkörperbrüchen der Unteren Brust und Lendenwirbelsäule," Unfallchirurg, Vol 89, pp. 197-213 (1986) (with English Translation)
		Dick, W., "The 'Fixateur Interne' as Versatile Implant for Spine Surgery," Spine, Vol 12(9), pp. 882-900 (1987)
		Dick, W., "Use of the Actebular Reamer to Harvest Autogenic Bone Graft Material: A Simple Method for Producing Bone Paste," Arch. Orthop. Trauma Surg., Vol 105, pp. 234-38 (1986)
		Edelund, H.G., "Open Reduction of Central Compression Fractures of the Tibia Plateau," Acta Orthop. Scand., Vol 47, pp. 686-89 (1976)
166		Harrington, K., "The Use of Methylmethacrylate as an Adjunct in the Internal Fixation of Malignant Neoplastic Fracture", The Journal of Bone and Joint Surgery, Vol. 54A, No. 8, 12/1972; pgs. 1665-1676.

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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kennedy, W., 'Fracture of the Tibia Condyles: A Preliminary Report of Supplementary Fixation with Methylmethacrylate,' Clin. Orthop., Vol 143, pp. 153-57 (1978)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kunec, J.R., et al., 'Closed Intramedullary Rodding of Pathologic Fractures with Supplemental Cement,' Clinical Orthopaedics and Related Research, Vol. 188, pp. 183-86 (Sep. 1984)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ma, Yuan-zhang, 'Os Calsis Fracture Treated by Percutaneous Poking Reduction and Internal Fixation,' Chinese Medical J., Vol 97, No 2, pp. 105-10 (1984)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Melton, III, et al.; 'Perspective: How Many Women Have Osteoporosis', Journal of Bone and Mineral Research, Vol. 7, No. 9, 1992; pgs. 1005-1010.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Olerud, S., 'Transpedicular Fixation of Toracolumar Vertebral Fractures', Clin. Orthop., Vol 227, pp. 44-51 (1988)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pentelényi, T., 'First Hungarian Neurosurgical Experiences with 'Fixateur Interne' in the Treatment of Thoraco-Lumbar Spine Injuries,' Acta Neurochir. (Wien), Vol 93, pp. 104-09 (1988)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Riggs, B. Lawrence, M.D. et al. 'Medical Progress, Involutional Osteoporosis:, The New England Journal of Medicine; 6/26/86; pgs. 1676-1686.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schatzker, J., Operative Orthopaedics, M. Chapman, Ed., 1 <sup>st</sup> ed., Ch. 35, pp. 421-34 (1998)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scoville, W., 'The Use of Acrylic Plastic for Vertebral Replacement or Fixation in Mestastic Disease of the Spine,' J. Neurosurg., Vol. 27: 274-79 (Sept. 1967)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Silverman, S.L., 'The Clinical Consequences of Vertebral Compression Fracture', Bone, 13, S27-S31 (1992).

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### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (if Appropriate)
ML	5,102,413	04/1992	Poddar	1	1	1

### FOREIGN PATENT DOCUMENTS

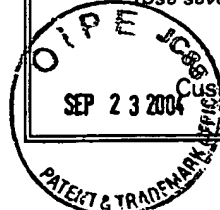
		DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No

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Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (if Appropriate)
<i>[Signature]</i>	4,842,585	06/1989	Witt			
	5,380,290	01/1995	Makower et al.			
	6,488,653	12/2002	Lombardo			
<i>[Signature]</i>	5,423,850	06/1995	Berger			

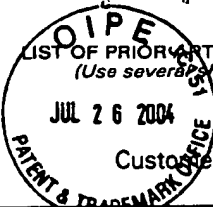
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### U.S. PATENT DOCUMENTS

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JUL	2002/0010472	1/2002	Kuslich et al.			
	2002/0032447	3/2002	Weikel et al.			
	2002/0099385	7/2002	Ralph et al.			
	2003/0050702	3/2003	Berger			
	2003/0120664	1/2003	Boucher et al.			
	4,494,535	1/1985	Haig			
	5,100,390	3/1992	Lubeck et al.			
	5,116,305	5/1992	Milder et al.			
	5,176,683	1/1993	Kimsey et al.			
	5,359,995	11/1994	Sewell, Jr.			
JUL	5,456,267	10/1995	Stark			

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<i>SC</i>	5,467,786	11/1995	Allen et al.			
	5,545,136	8/1996	Berger			
	5,601,590	2/1997	Bonutti et al.			
	5,788,703	8/1998	Mittelmeier et al.			
	5,792,044	8/1998	Foley et al.			
	5,817,074	10/1998	Racz			
	5,849,014	12/1998	Mastrorio et al.			
	5,865,728	2/1999	Moll et al.			
	5,928,162	7/1999	Giurtino et al.			
	5,961,499	10/1999	Bonutti et al.			
<i>SC</i>	5,976,105	11/1999	Marcove et al.			

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<i>PCC</i>	6,036,682	3/2000	Lange et al.			
	6,036,711	3/2000	Mozdzierz et al.			
	6,468,279	10/2002	Reo			
	6,582,446	6/2003	Marchosky			
<i>PCC</i>	6,607,544	8/2003	Boucher et al.			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes	No
<i>PCC</i>	WO 01/76492	10/2001	PCT				
	WO 01/76514	10/2001	PCT				
	WO 99/02214	1/1999	PCT				
<i>PCC</i>	WO 99/37212	7/1999	PCT				

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EXAMINER <i>Angela L. [Signature]</i>	DATE CONSIDERED 12/17/06
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<i>PL</i>	4,969,888	11/1990	Scholten et al.			
	5,108,404	4/1992	Scholten et al.			
	5,827,289	10/1998	Reiley et al.			
	5,972,015	10/1999	Scribner et al.			
	6,048,346	4/2000	Reiley et al.			
	6,066,154	5/2000	Reiley et al.			
	6,241,734	6/2001	Scribner et al.			
	6,248,110	6/2001	Reiley et al.			
	6,280,456	8/2001	Scribner et al.			
	6,440,138	8/2002	Reiley et al.			
<i>PL</i>	4,205,683	6/1980	O'Neill			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
<i>PL</i>	WO 97/28840	8/1997	PCT			
	WO 98/56301	12/1998	PCT			
	WO 99/62416	12/1999	PCT			
<i>PL</i>	WO 00/09024	2/2000	PCT			

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